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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,215	11/29/2000	Kazuo Sasaki	1405.1028/JDH	6349
21171	7590	08/05/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			VU, THONG H	
		ART UNIT	PAPER NUMBER	
		2142		

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/725,215	SASAKI ET AL.	
	Examiner Thong H Vu	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 June 2004.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 2-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 2-8 and 10-13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

1. Claims 2-8,10-13 are pending.
2. Claims 1 and 9 were canceled. New claims 10-13 are added. Therefore, the Final action is appropriate.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 10-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Beddus et al [Beddus 6,654,457 B1].

3. As per claim 10, Beddus discloses a user-status setting method in which a user terminal can send, receive, and display a user status and a character message on at least one virtual space shared on a network, the method comprising:

storing a plurality of user-status-selection tables including a list of configurable user statuses registered for each virtual space, reading out the user-status-selection table of a virtual space in which a user terminal participates when the user terminal has participated in the virtual space, displaying on the user terminal the list of the selectable user statuses for the virtual space based on the read-out user-status-selection table;

setting a user status which was selected from the list of selectable user statuses for the virtual space in which the user has participated [Beddus, a call center and at least one remote user terminal connected to network, Fig 1; storing one or more agent or groups of agents associated with the call center with status data specifying the status of each agent or group of agents and user selects on of displayed agent or groups of agents, col 8 lines 26-64];

sending to each virtual space the set user status, receiving from each virtual space the set user status, and displaying the set user status for each virtual space [Beddus, displaying to s user a list of the agents or groups of agents at the call center, col 7 line 44-col 8 line 3].

4. Claims 11,12 contain the similar limitations set forth of apparatus claim 10. Therefore, claims 11,12 are rejected for the similar rationale set forth in claim 10.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-8 and 13 are rejected under 35 U.S.C. § 103 as being unpatentable over Beddus et al [Beddus 6,654,457 B1] in view of Brandt et al [Brandt 6,377,993 B1]

5. As per claim 2, Beddus discloses ; storing one or more agent or groups of agents associated with the call center with status data specifying the status of each agent or

group of agents [Beddus, col 8 lines 30-64] and displaying to user a list of the agents or groups of agents at the call center [Beddus, col 7 line 44-col 8 line 3].

However Beddus does not detail the user status and a user attribute defining a configurable user statuses are correlative registered in the status table.

It was well-known in the art that network user status includes the user attributes [see Brandt, col 20 lines 19-col 21 line 17; Barker, col 40 lines 60-67]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the customer status table which includes the attributes as taught by Brandt into the Beddus' apparatus in order to utilize the status table. Doing so would enhance the status table to implement the secure data access and reporting services to customer.

6. As per claim 3, Beddus-Brandt disclose a common table in which prescribed user statuses are registered is previously prepared, and said common table is obtained if no status table is prepared for a virtual space in which user terminals participate, and a user status on said virtual space is set for the virtual space based on an obtained common table as inherent feature of status table.

7. As per claim 4, Beddus-Brandt disclose the setting of a user status by a user is accepted [Beddus, user selection, col 8 lines 30-65].

8. As per claim 5, Beddus-Brandt disclose said user terminal can display a user status with a symbol (i.e.: icon), the user status and the symbol are correlative registered in a status table, and a status of another user sharing a virtual space is displayed with a symbol relating to the user status [Brandt, select icon, col 26 lines 48-67].

9. As per claim 6, Beddus-Brandt disclose a list of user statuses registered in an obtained status table is displayed independently for each virtual space in which user terminals participate, selection of any user statuses on the list is accepted for each virtual space, and a user status is set for each virtual space [Beddus, user selection, col 8 lines 30-65].

10. As per claim 7, Beddus-Brandt disclose a computer-readable recording medium having a status setting module [Beddus, set up from the user terminal, col 8 lines 30-65]

11. As per claim 8, Beddus-Brandt disclose a transmission medium transmitting a status setting module [Beddus, Internet3, Fig 1].

12. As per claim 13, Beddus-Brandt disclose the user status includes a string of characters entered by the user [Beddus, string nmIP, col 6 lines 31-45].

**13. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238  
Official: (703) 746-7239  
Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

*Thong Vu*  
*Patent Examiner*  
*Art Unit 2142*

